

**SAN LORENZO VALLEY WATER DISTRICT  
BOARD MEETING  
MEETING MINUTES**

March 15, 2012

7:30 p.m.

**CONVENE MEETING/ROLL CALL**

Vice Pres. Vierra convened the meeting at 7:30 p.m. Roll call showed Dirs. McPherson, Nelson, Prather, Rapoza and Vierra were present. Dir. Prather arrived at 7:32 p.m. District Manager Mueller, Director of Operations Rogers, and Legal Counsel Hynes were also present.

**MINUTES**

MINUTES REGULAR MEETING OF MARCH 1, 2012

Motioned made by Dir. Rapoza to approve minutes for the March 1, 2012 Board of Directors Meeting.

**ROLL CALL:**

Ayes:	McPherson, Nelson, Prather, Vierra, Rapoza
Noes:	None
Abstain:	None
Absent:	None

**ORAL COMMUNICATIONS:**

John Fasolas/Felton addressed the Board regarding the Monterey Bay Electric Vehicle Alliance.

**WRITTEN COMMUNICATIONS:**

The Board received written communications from California Special Districts Association, CSDA Board of Directors call for nominations Seat A.

**CONSENT AGENDA:** None.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

**REVIEW OF INVESTMENT PORTFOLIO**

Mr. Bargetto from Morgan Stanley Smith Barney presented the Board with a review and update of the investment portfolio. Mr. Holloway addressed the Board with his comments. Motioned made by Dir. Vierra to accept and file the report of the District's investment portfolio.

**ROLL CALL:**

Ayes:	McPherson, Nelson, Prather, Rapoza, Vierra
Noes:	None
Abstain:	None
Absent:	None

#### UNMETERED WATER SERVICE; APN 081-051-07

District Manager Mueller presented the Board with a report on property located below the Lyon Surface Water Treatment Plant. The property owner presented the District with possible issues from drainage into Hessie Creek. District Staff resolved this issue and is requesting that the Board waive the water service connection fees. The property owners will be billed the on-going bi-monthly Basic Service charge and all water consumption fees. Motioned made by Dir. Vierra to approve Resolution No. 25 (11-12); Unmetered Water Service; APN 081-051-07.

#### ROLL CALL:

Ayes: McPherson, Nelson, Prather, Rapoza, Vierra  
Noes: None  
Abstain: None  
Absent: None

#### LOMPICO COUNTY WATER DISTRICT

District Manager Mueller presented the Board with a request to authorize expenditures up to \$30,000.00 for technical and engineering services relative to proposed consolidation of Lompico County Water District. Motioned made by Dir. Vierra to send this item back to the Lompico County Water District Ad Hoc Committee to further investigate and report back to the Board at the April 19, 2012 regular Board of Directors meeting.

#### ROLL CALL:

Ayes: McPherson, Nelson, Prather, Rapoza, Vierra  
Noes: None  
Abstain: None  
Absent: None

#### **GENERAL MANAGER REPORTS:**

Bill List Period Ending March 15, 2012

Motioned made by Dir. McPherson to approve the Bill List Period Ending March 15, 2012.

#### ROLL CALL:

Ayes: Nelson, Prather, Rapoza, Vierra, McPherson  
Noes: None  
Abstain: None  
Absent: None

Cash Flow Report Period Ending February 29, 2012

The Board received the Investment Cash Flow Report Period Ending February 29, 2012.

Department Status Reports

The Board received the Department Status Reports.

#### **COMMITTEE/DIRECTOR REPORTS (Oral):**

Dir. Prather reported out on the Environmental Committee held on March 15, 2012. The committee discussed the Santa Cruz Water Department Habitat Conservation Plan with Mr. Kocher, Manager of the SCWD. The committee also further discussed the Watershed Management Plan, Part III.

### **INFORMATION MATERIAL:**

The Board received the information material.

District Counsel Hynes requested that the Board add Item 11(c) Conference with Legal Counsel; Anticipated Litigation one (1) potential case pursuant to subdivision (b) California Government Code section 54956.9 relative to the facts and circumstances regarding alleged violations of the District's Investment Policy. Motion made by Dir. Prather to add Item 11(c) to the Closed Session agenda: Conference with Legal Counsel; Anticipated Litigation one (1) potential case pursuant to subdivision (b) California Government Code section 54956.9 relative to the facts and circumstances regarding alleged violations of the District's Investment Policy.

#### **ROLL CALL:**

Ayes:	McPherson, Nelson, Rapoza, Vierra, Prather
Noes:	None
Abstain:	None
Absent:	None

### **ADJOURNMENT TO CLOSED SESSION**

Pres. Prather adjourned the regular meeting to closed session at 9:37 p.m. for the purpose of:

#### **CONFERENCE WITH LEGAL COUNSEL; EXISTING LITIGATION**

Existing litigation pursuant to subdivision (a) of California Government Code section 54956.9.

One (1) case.

Name of case: Pacific Bell Telephone vs. Leo Tidwell Excavating Corporation, San Lorenzo Valley Water District

#### **CONFERENCE WITH LEGAL COUNSEL; ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of California Government Code section 54956.9.

One (1) case.

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One (1) case.

### **RECONVENE TO OPEN SESSION TO REPORT ACTIONS TAKEN IN CLOSED SESSION:**

Pres. Prather reconvened the regular meeting at 10:20 p.m. and reported out that:

#### **CONFERENCE WITH LEGAL COUNSEL; EXISTING LITIGATION**

Existing litigation pursuant to subdivision (a) of California Government Code section 54956.9.

One (1) case.

Name of case: Pacific Bell Telephone vs. Leo Tidwell Excavating Corporation, San Lorenzo Valley Water District

No reportable action.

**CONFERENCE WITH LEGAL COUNSEL; ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of California Government Code section 54956.9.

One (1) case.

No reportable action.

**CONFERENCE WITH LEGAL COUNSEL; ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of California Government Code section 54956.9.

One (1) case.

No reportable action.

**ADJOURNMENT**

Pres. Prather adjourned the meeting at 10:20 p.m.

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B. Barchi, District Secretary